

APPLICANT'S REMARKS

1. Status of the Claims

Claims 1–4, 10–13, 15, and 16 are pending. Claims 1 and 15 are amended. Claims 6 and 17 are cancelled.

2. Rejection of Claims 1–4, 10–13, 15, and 16 as being anticipated by TSIEN

The Applicant gratefully acknowledges the Examiner's suggested amendments to claims 1 and 15. The Applicant respectfully submits that the foregoing amendments to claims 1 and 15 conform to the Examiner's suggested amendments. Therefore, the Applicant respectfully requests that the §102(b) rejection of claims 1–4, 10–13, 15, and 16 as being anticipated by TSIEN be reconsidered and withdrawn.

3. Conclusion

The Applicant respectfully requests favorable consideration of this Amendment and the issuance of a Notice of Allowance.

Respectfully submitted,

Date: June 28, 2010

/THOMAS C. BLANKINSHIP/

Bayer HealthCare LLC
Patents & Licensing - Pharmaceuticals
555 White Plains Road, 3rd Floor
Tarrytown, NY 10591

Thomas C. Blankinship
Reg. No. 39909
Tel.: 1-914-333-6905